



# **In the Supreme Court of the United States.**

OCTOBER TERM, 1899.

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THE SPANISH SMACK PAQUETE HABANA, Juan Pasos, claimant, appellant, <i>v.</i> THE UNITED STATES.	}	No. 395.
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THE SPANISH SCHOONER LOLA, TOMAS Betancourt, claimant, appellant, <i>v.</i> THE UNITED STATES.	}	No. 396.
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IN PRIZE.

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***APPEALS FROM THE DISTRICT COURT OF THE UNITED STATES  
FOR THE SOUTHERN DISTRICT OF FLORIDA.***

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**MOTION BY THE UNITED STATES TO ADVANCE, WITH SUGGES-  
TION TO REASSIGN OTHER PRIZE CASES  
AND ASSIGN THE FOREGOING  
WITH THEM.**

Upon the result in these cases depend, by agreement between the Government and the respective claimants, several other similar cases in the southern district of

Florida, known as the "fishing smack" cases. These, and some or all of the other vessels involved, contained cargoes of fish. The court below, having entered a final decree of condemnation of vessel and cargo in each case, set aside the decree and permitted a claim to be filed, and then reinstated the decree on the ground that there was no warrant in law for the claimants' contention that fishing vessels of this class are exempt from seizure without ordinance, treaty, or proclamation to that effect. (*Paquete Habana* record, p. 15; *Lola* record, p. 14.)

The convenience of the court, the importance of finally determining prize questions promptly, and the perhaps peculiar right of claimants of the class here involved to a speedy settlement, are the grounds of this motion to advance which is made on the claimants' initiative.

It is also respectfully suggested that as the international bearing of prize adjudications invokes a hearing before the full bench, all prize cases heretofore specially assigned, and these cases, shall be reassigned and assigned together at such later date as may suit the court. In this suggestion counsel for appellants herein acquiesce.

JOHN K. RICHARDS,  
*Solicitor-General.*

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